

REMARKS

Claims 1-6 and 8-15 are pending in this application. By this Amendment, claims 1-3, 5, 6, 8, 9 and 14 are amended, and claim 7 is canceled. Claims 1, 8, 9 and 14 are amended to overcome a claim objection. Claims 2-6 are amended to maintain consistency with amended claim 1. Claim 4 is amended to insert a comma between the words "claim 12" and "wherein."

No new matter is added to the application by this Amendment. Support for the language added to claims 1-3, 5, 6, 8, 9 and 14 is found within the specification as originally filed, specifically at page 2, lines 9-11, 18 and 19, page 23, lines 15-19 and page 22, line 13 – page 24, line 16.

Reconsideration of the application is respectfully requested.

Claims 1, 3, 4, 7-9 and 12-14 were objected to under 35 U.S.C. 112, second paragraph, as allegedly failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The objection is respectfully traversed.

In light of the cancelation of claim 7, this objection is moot with respect to that claim.

Claims 8 and 9 have now been amended in response to the Patent Office's comments, and the amended claims are believed to obviate the issues raised in the objection.

Claim 14 has been amended to replace the word "3,4-PEDT" with the word "3,4-polyethylenedioxythiophene" as suggested by the Patent Office.

The objection of claims 1, 3, 4, 7-9 and 12-14 under 35 U.S.C. 112, second paragraph should therefore now be withdrawn.

Claims 1-3, 7 and 11 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 5,958,537 to Akhter. The Patent Office alleges that Akhter teaches each of the features recited in claims 1-7 and 16. Applicants respectfully disagree.

In light of the cancelation of claim 7, this rejection is moot with respect to that claim.

Amended claim 1 is directed to an antistatic pressure-sensitive adhesive tape having a first pressure-sensitive adhesive layer that is free of electrically conductive particles. Incorporating conductive materials into the pressure-sensitive adhesive of pressure-sensitive adhesive tapes disadvantageously affects the adhesive properties of the pressure-sensitive adhesive (see page 2, lines 9-11 of the present specification). It is an object of the present specification to provide antistatic pressure-sensitive adhesive tapes which avoid the prior art's disadvantages, such as decreasing the adhesive properties of the pressure-sensitive adhesive (see page 2, lines 18 and 19 of the present specification).

Sample PSA Tapes 1-5 were prepared to include at least one electrically conductive primer layer of a electrically conductive conjugated polymer (3,4-polyethylenedioxythiophene) and a pressure-sensitive adhesive layer free of electrically conductive particles (see page 23, lines 14-20 of the present specification). Sample PSA Tape 6 was prepared to include a pressure-sensitive adhesive layer free of

electrically conductive particles without an electrically conductive primer layer (see page 23, lines 14-20 of the present specification). Thus, in light of the present specification and Sample PSA Tapes 1-6, it is clear that pressure-sensitive adhesive layer of the present specification is free of electrically conductive particles to achieve the objective of the present invention and to avoid the disadvantages of the prior art.

Akhter fails to teach or suggest an antistatic pressure-sensitive adhesive tape having a first pressure-sensitive adhesive layer that is free of electrically conductive particles as required in amended claim 1.

On the contrary, Akhter discloses static dissipative labels having a primer layer and an adhesive layer containing conductive particles that are arranged such that the conductive particles span the thickness of the layer (see Abstract of Akhter). Additionally, Akhter teaches that the adhesive layer comprises an adhesive in combination with conductive particles (see col. 2, lines 38 and 39 of Akhter). Further, Akhter teaches that the conductive particles have a sufficient average particle size so that a sufficient number of such particles will bridge the top and bottom face surfaces of the adhesive layer (see col. 4, lines 23 and 24 of Akhter).

Moreover, Akhter teaches away from a first pressure-sensitive adhesive layer that is free of electrically conductive particles because Akhter teaches that the conductive particles serve as conductive bridges from the open surface to the conductive primer layer (see col. 5, lines 2-5 of Akhter). Thus, Akhter does not teach or suggest a first pressure-sensitive adhesive layer that is free of electrically conductive particles as recited in claim 1.

Because the features of independent claim 1 are neither taught nor suggested by Akhter, Akhter cannot anticipate, and would not have rendered obvious, the features specifically defined in claim 1 and its dependent claims.

For at least these reasons, claims 1-3 and 11 are patentably distinct from and/or non-obvious in view of Akhter. Reconsideration and withdrawal of the rejections of the claims under 35 U.S.C. §102(b) are respectfully requested.

Claims 1 and 6 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Akhter. The rejection is respectfully traversed.

As set forth above with respect to claim 1, Akhter clearly teaches away from the claimed first pressure-sensitive adhesive layer that is free of electrically conductive particles. Additionally, Akhter does not teach or suggest the presently claimed first pressure-sensitive adhesive layer. Because the features of independent claim 1 are neither taught nor suggested by Akhter, Akhter would not have rendered obvious, the features specifically defined in claims 1 and 6.

Accordingly, reconsideration and withdrawal of the rejection of claims 1 and 6 under 35 U.S.C. §103(a) are respectfully requested.

Claims 4, 12 and 13 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Akhter. The rejection is respectfully traversed.

Again, Akhter (1) fails to teach or suggest the claimed first pressure-sensitive adhesive layer and (2) teaches away from the first pressure-sensitive adhesive layer as required in claim 1 (from which claims 4, 12 and 13 depend). Because the features of

independent claim 1 are neither taught nor suggested by Akhter, Akhter would not have rendered obvious, the features specifically defined in claims.

Accordingly, reconsideration and withdrawal of the rejection of claims 4, 12 and 13 under 35 U.S.C. §103(a) are respectfully requested.

Claims 5 and 15 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Akhter in view of U.S. Patent No. 6,284,837 to De Jonge et al. (hereinafter “De Jonge”). The rejection is respectfully traversed.

The Patent Office acknowledges that Akhter fails to teach the claimed polymethacrylate PSA as recited in claim 5 (see page 5 of the Office Action). The Patent Office introduces De Jonge as allegedly disclosing the features of claim 15. The Patent Office alleges that the subject matter of claim 15 reads on the disclosed composition as taught by Akhter in view of De Jonge.

De Jonge et al. does not remedy the deficiencies of Akhter as described above with respect to claim 1, from which claims 5 and 15 depend because De Jonge does not teach or suggest the claimed antistatic pressure-sensitive adhesive tape of multilayer construction comprising a carrier layer, a first pressure-sensitive adhesive layer, and a first electrically conductive primer layer between the carrier layer and the at least one pressure-sensitive adhesive layer, wherein the first pressure-sensitive adhesive layer is free of electrically conductive particles.

Accordingly, reconsideration and withdrawal of the rejection of claims 5 and 15 under 35 U.S.C. §103(a) are respectfully requested.

Claims 8 and 9 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Akhter in view of U.S. Patent No. 4,536,441 to Schmeer et al. (hereinafter “Schmeer”). The rejection is respectfully traversed.

The Patent Office acknowledges that Akhter fails to teach the claimed structure of the PSA tape as recited in claims 8 and 9 (see page 6 of the Office Action). The Patent Office introduces Schmeer as allegedly disclosing the features of claims 8 and 9. The Patent Office alleges that the subject matter of claims 8 and 9 reads on the disclosed composition as taught by Akhter in view of Schmeer.

Schmeer does not remedy the deficiencies of Akhter as described above with respect to claim 1, from which claims 8 and 9 depend because Schmeer does not teach or suggest the claimed antistatic pressure-sensitive adhesive tape of multilayer construction comprising a carrier layer, a first pressure-sensitive adhesive layer, and a first electrically conductive primer layer between the carrier layer and the at least one pressure-sensitive adhesive layer, wherein the first pressure-sensitive adhesive layer is free of electrically conductive particles.

Accordingly, reconsideration and withdrawal of the rejection of claims 8 and 9 under 35 U.S.C. §103(a) are respectfully requested.

Claim 10 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Akhter in view of U.S. Patent No. 6,395,389 to Luhmann et al. (hereinafter “Luhmann”). The rejection is respectfully traversed.

The Patent Office acknowledges that Akhter fails to teach the claimed PSA tape in the form of a punched product as recited in claim 10 (see page 6 of the Office Action).

The Patent Office introduces Luhmann as allegedly disclosing the features of claim 10. The Patent Office alleges that the subject matter of claim 10 reads on the disclosed composition as taught by Akhter in view of Luhmann.

Luhman does not remedy the deficiencies of Akhter as described above with respect to claim 1, from which claim 10 depends because Luhmann does not teach or suggest the claimed antistatic pressure-sensitive adhesive tape of multilayer construction comprising a carrier layer, a first pressure-sensitive adhesive layer, and a first electrically conductive primer layer between the carrier layer and the at least one pressure-sensitive adhesive layer, wherein the first pressure-sensitive adhesive layer is free of electrically conductive particles.

Accordingly, reconsideration and withdrawal of the rejection of claim 10 under 35 U.S.C. §103(a) are respectfully requested.

Claim 14 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Akhter in view of U.S. Patent No. 6,299,799 to Craig et al. (hereinafter "Craig"). The rejection is respectfully traversed.

The Patent Office acknowledges that Akhter fails to teach the claimed electrically conductive conjugated polymers as recited in claim 14 (see page 7 of the Office Action). The Patent Office introduces Craig as allegedly disclosing the features of claim 14. The Patent Office alleges that the subject matter of claim 14 reads on the disclosed composition as taught by Akhter in view of Craig.

Craig does not remedy the deficiencies of Akhter as described above with respect to claim 1, from which claim 14 depends because Craig does not teach or

suggest the claimed antistatic pressure-sensitive adhesive tape of multilayer construction comprising a carrier layer, a first pressure-sensitive adhesive layer, and a first electrically conductive primer layer between the carrier layer and the at least one pressure-sensitive adhesive layer, wherein the first pressure-sensitive adhesive layer is free of electrically conductive particles.

Accordingly, reconsideration and withdrawal of the rejection of claim 14 under 35 U.S.C. §103(a) are respectfully requested.

In view of the present amendments and remarks it is believed that claims 1-6 and 8-15 are now in condition for allowance. Reconsideration of these claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited.

PETITION FOR A TWO-MONTH EXTENSION OF TIME

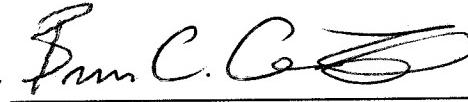
The applicants respectfully petition for a two-month extension of time in order to permit for the timely entry of this response. The Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263 with respect to this petition.

ADDITIONAL FEE

Please charge any insufficiency of fee or credit any excess to Deposit Account
No. 14-1263.

Respectfully submitted,
NORRIS MC LAUGHLIN & MARCUS, P.A.

By



Brian C. Anscomb
Attorney for Applicant
Reg. No. 48,641
875 Third Avenue, 18th Floor
New York, NY 10022
Tel. 212-808-0700